

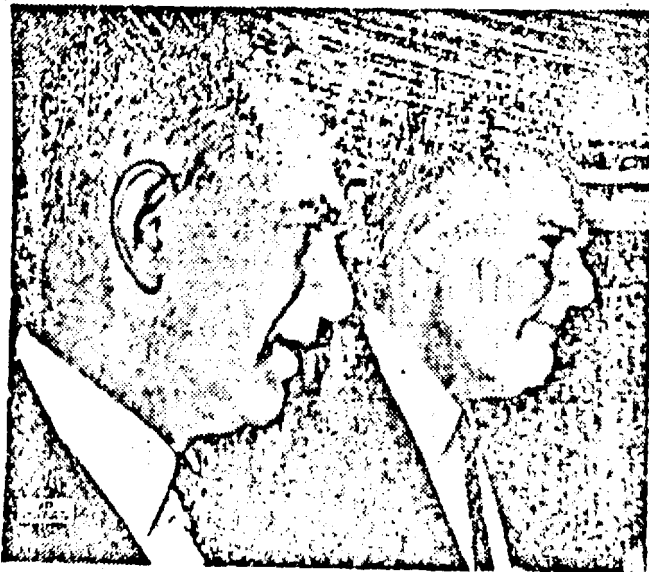
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Fulbright Rejects Viet Legality Probe

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PROFILES—Senator Fulbright (left) and Ambassador Lodge before envoy gave secret testimony in Vietnamese inquiry.

By JOSEPH R. L. STERNE

(Washington Bureau of The Sun)

Washington, May 12—Senator Fulbright (D., Ark.) today turned aside the proposal of Senator Morse (D., Ore.) for Foreign Relations Committee hearings on the legalities of the American involvement in Vietnam.

Such questions are "interesting," particularly since "it is a matter of moment whether a great state is law-abiding," he said.

But a "much more important question," Fulbright added, concerns the "wisdom and prudence" of the policy the United States now is following, regardless of how it got involved.

Sure Of Further Sessions

The committee chairman, whose break with the Administration on Vietnam policy led to a series of nationally televised hearings, said he was confident there would be further sessions "as things develop."

Fulbright, together with Morse, has taken the lead in challenging Administration attempts to justify the American combat role in Vietnam on the basis of the SEATO

treaty, United Nations Charter provisions, international law, presidential pronouncements, the Gulf of Tonkin resolution and various foreign assistance programs.

But the Arkansas Democrat seemed disinclined to have future hearings narrowed to such "technical" and "complicated" issues.

Challenged Rusk

At a Monday session of the committee, Morse angrily demanded an extensive inquiry into the legal basis of the Vietnam involvement after Dean Rusk, Secretary of State, responded to earlier requests by reviewing the Administration position.

Morse called the Secretary's arguments "fallacious" and said he wanted the opportunity to present leading international lawyers in rebuttal. He suggested that action on the pending foreign aid bill be postponed until the legal inquiry was made.

At an executive session of the committee today, however, it was decided to proceed with the mark-

up of the aid measure next week.

This afternoon, the Fulbright committee heard closed-door testimony from Henry Cabot Lodge, Ambassador to Saigon, who reportedly assured senators that the United States wanted the "widest

possible participation" in the Vietnam elections tentatively scheduled for this fall.

His attitude was encouraging to Senator Gore (D., Tenn.), a war critic who has suggested that even the Viet Cong should be urged to take part in the elections.

But while Gore appeared satisfied with Lodge's description of United States policy in regard to the elections, the senator said he doubted the elections can be conducted unless the Viet Cong accept a cease-fire.

Questions Ignored

The Ambassador himself ignored questions put to him by newsmen after the committee hearing. He merely said it was "a thorough-going session on all aspects of our policy, and I tried to bring the committee up to date."

Fulbright remarked that Lodge's testimony was similar to that offered by other Administration witnesses.

Earlier in the day the senator gave a soft, slightly sardonic response to President Johnson's Princeton University speech suggesting that the United States is not afflicted by the "arrogance of power," as Fulbright has cautioned, but from the "agony" of power.

Fulbright called the President's statement "an important contribution to the dialogue on foreign policy."

"Room For Differences"

He said he felt the speech would contribute to a better public understanding of Vietnam policy so that, hopefully, the American people could make a "sound judgment in a way natural to a democracy—through elections."

"In our system there is plenty of room for differences of opinion," he observed.

Asserting he was "flattered" if the President had him in mind during yesterday's Princeton speech, Fulbright said he had not stated that the United States had succumbed to the "arrogance of power" but merely had served a warning that this mistake could be made.

The senator rebuffed criticism that he had no alternatives to offer in Vietnam.

He said he had specifically supported more restraint — even "deescalation"—in war action, a philosophy of "no first use" of nuclear weapons and efforts to seek a compromise settlement.

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